

### **REMARKS/ARGUMENTS**

In the Final Office Action dated 1 December 2006, claims 1-3 and 5-30 were rejected. Applicant has canceled claims 6 and 18-29, amended claim 1 to include the subject matter of canceled claim 6, amended claim 7 to depend from claim 1 instead of canceled claim 6, and added subject matter from claim 13 (still pending) into claim 2. Claims 1-3, 5, 7-17, and 30 remain pending in this application. Applicant respectfully requests reconsideration of the application in light of the amendments and the following remarks.

#### **Information Disclosure Statement**

An Information Disclosure Statement is being submitted herewith.

#### **Rejections under 35 USC 102(b)**

Claims 1-8, 10, 12, 17-22, 24, and 29-30 were rejected as being anticipated by Katz US4983472. Claims 6, 18-22, 24, and 29 have been canceled. Applicant respectfully submits that Katz does not disclose all elements of independent claims 1 and 30 (emphasis added):

1. A fuel cell assembly comprising (a) a plurality of fuel cells, each of said fuel cells comprising:

an anode layer, a cathode layer and an electrolyte interposed therebetween;

**a conducting layer in contact with at least one of said cathode layer and said anode layer;**

wherein said **conducting layer is configured to facilitate transport of electrons**; and

(b) a plurality of interconnects, each interconnect in contact with a respective conducting layer of a respective one of the plurality of fuel cells, wherein **at least one of said interconnects is a hollow manifold comprising a top wall, said top wall comprising at least one opening extending therethrough in flow communication with said hollow manifold.**

30. A fuel cell assembly comprising a plurality of fuel cells, each of said fuel cells comprising:

an anode layer, a cathode layer and an electrolyte interposed therebetween;

an anode interconnect to support said anode layer and a cathode interconnect to support said cathode layer; and

**a conducting layer disposed on at least one of said cathode layer and said anode layer to reduce interface resistance between said anode layer and said anode interconnect and between said cathode layer and said cathode interconnect;**

wherein at least one of said anode interconnect and said cathode interconnect is a **hollow manifold comprising a top wall, a first side wall and a second side wall, said top wall,**

first side wall and second side wall defining a chamber therein, **said top wall comprising at least one opening extending therethrough in flow communication with said chamber** and said conducting layer is configured to facilitate transport of electrons from said anode layer and said cathode layer.

Katz appears to describe a fuel cell 10 with a separator plate 12 located between fuel cell 10 and an adjacent cell. An anode 14 is formed with longitudinally extending grooves and a matrix 18 contains electrolyte in contact with anode 14. Fuel 16 flows between the anode and the separator plate. Collector plate 22 has a planar surface 24 in contact with the cathode 20. The raised arches 26 and 28 are in contact with the next separator plate 25. In Katz, not much mention is made of the separator plate other than in the background: "Arrangements are made to pass reactants in the form of fuel and oxidant through open spaces provided between the separator plates and a corresponding electrode." Thus Katz does not describe a hollow manifold.

Because the combination of bolded recitations is not disclosed or taught by Katz, Applicant submits that independent claims 1 and 30 are patentably distinct. Claims 2-3, 5, 7-8, 10, 12, and 17 depend from claim 1 and are similarly believed to be in condition for allowance.

Rejections under 35 USC 103(a)

Claims 9 and 23 have been rejected as unpatentable over Katz US4983472 in view of Akikusa JP2002237312. Claim 23 has been canceled. Claim 9 depends from claim 1 which Applicant respectfully submits is patentably distinct from the applied references for the reasons discussed above.

Claims 11, 13-16, and 25-28 have been rejected over Katz US4983472 in view of Mardilovich US2004/0081878, and claims 13-16 and 25-28 have been rejected over Katz US4983472 in view of Hoshino JP2002216807. Claims 25-28 have been cancelled. Claims 11 and 13-16 depend from claim 1 which Applicant respectfully submits is patentably distinct from the applied references for the reasons discussed above.

Summary

Accordingly, Applicant respectfully submits that the claimed invention defines allowable subject matter over the applied art. Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Should the Examiner believe that anything further is needed to place the application in even better condition for allowance, the Examiner is requested to contact applicant's undersigned representative at the telephone number below.

Respectfully submitted,

By /Ann M. Agosti/  
Ann M. Agosti  
Reg. No. 37,372  
General Electric Company  
Building K1, Room 3A66  
Niskayuna, New York 12309  
Telephone: (518) 387-7713  
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